

Interrogatories for Siting Council - T-Mobile

1. As part of the conditions of a settlement with AT&T it was agreed to put the existing tower at 36 Ritch Ave. W. with no additional carriers permitted on the Site. The neighbors were told they were protected by law from any further increase in wireless companies and therefore accepted this as the last negative impact on their property. Why does Cellco feel they are above this legal agreement which neighbors depended on and if approved will lead to costly legal action and was recognized by T-Mobile in an article in the Greenwich Time dated February 8th 2010? (attached)

Ref. cover sheet to litigation between AT&T Wireless Services and the town of Greenwich dated September 6, 2001- attached to letter of Diane Fox to the Siting Council dated January 12, 2011

Ref. Planning and Zoning Commission Dec 11, 2001 - Action agenda with decisions - Item 2 Settlement of pending litigation - Motion to approve settlement of pending litigation - attached to letter of Diane Fox to the Siting Council dated January 12, 2011

Ref. letter from Diane Fox, Town of Greenwich Planner dated January 11, 2002 - item 6 "This monopole is for AT&T use only and is limited to this one user" - attached to letter of Diane Fox to the Siting Council dated January 12, 2011

Ref. letter from Diane Fox, Town of Greenwich Planner dated August 20, 2002 - item 3 "This monopole is for AT&T use only and is limited to this one user" item 4 - "no other structures are permitted on site except for those shown on the approved plans" - attached to letter of Diane Fox to the Siting Council dated January 12, 2011

Ref: Greenwich Time Article dated February 8, 2010 - "AT&T isn't interested in increasing the height of the tower because of previous litigation it had with the town, T-Mobile said"

Ref. letter from Diane Fox, Director of Planning and Zoning, dated September 18, 2008 to the Siting Council - Item 5 - " It should be noted that the court settlement for the tower restricted the tower to one carrier only"

Ref: Greenwich Planning and Zoning Commission Hearing dated October 26, 2010 - page 61-62 - "So it's a legal issue, there's no question about that"

Ref. Greenwich Planning and Zoning Commission proceedings regarding Cellco on Nov 9th, 2010 - page 12 - references a settlement of a federal appeal that there could only be one carrier.

Ref. letter of Diane Fox dated November 22, 2010 - to the Siting Council and Mr. Kenneth Baldwin - page 4 second paragraph - existing AT&T tower was to settle an appeal brought by AT&T. Part of the commission's approval of this site plan was that the tower was limited to one carrier, namely AT&T.

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Ref. letter from Diane Fox, Director Planning and Zoning, to the Siting Council dated January 12th, 2011. Second paragraph states the AT&T tower was to settle an appeal and the tower was limited to one carrier only.

2. T-Mobile Interrogatory responses dated Feb 24, 2011 - Page 3, A7,

Item 2. 38 Gold Street - T-Mobile's RF Engineers determined that this parcel would not meet the intended coverage objective because it was too far to the West. This parcel is not far from 36 Ritch Ave W and already has a twenty five foot flagpole. If 38 Gold Street does not meet the coverage, how can 36 Ritch Ave. W.

Item 5, - 10 Hamilton Avenue (Bimbo Bakeries) "T Mobile's RF engineers determined that this parcel would not meet the intended coverage because it was too far to the South" This location is very close to the proposed location at 36 Ritch Ave W. If 10 Hamilton Avenue is too far south how can 36 Ritch Ave. be acceptable. They should each be acceptable or too far south.

Item 6, 44 Talbot Lane - Apparently this site was acceptable. As it is very close to the site at 38 Gold Street, why does Gold street not meet the intended coverage?

Item 6, 44 Talbot Lane - "T- Mobile considered this parcel as an alternative site to the Facility at the time the Facility was not available for co-location" What makes the Facility now available for co-location?

3. Ref: Interrogatory Responses dated Feb 24, 2011 - Page 4 - You mention seven sites with the same explanation - "T-Mobiles RF engineers determined that this parcel would not meet the intended coverage objective" Sites three thru seven already consist of tall buildings or structures. How much higher on these structures would T-Mobile need to go to achieve the intended coverage.

4. Ref: Interrogatory Responses dated Feb 24, 2011 - You mention a town owned parcel behind a weigh station off of I 95/Field point Road. Did you consider the weigh station on I 95 between exits 2 & 3? Did you pursue this as an alternative? It would seem you are trying to cover a section of I 95 which this would obviously handle best.

5) Cell Tower Alternatives - What have you done to pursue Cell Tower alternatives such as DAS. Two consultants have informed me that it will work in the area you are concerned about. When questioned regarding DAS in the North Mianus area of Greenwich at the October Board of Selectmen meeting, T - Mobile mentioned it would not work because of topography. However, a wireless company, Isotrop Wireless, performed a study on assessments of options for wireless communications in the North Mianus area of Greenwich. It showed that Distributed Antennae Systems will work and a series of DAS nodes would cover the area. I have contacted another independent consultant to perform an official study to determine if DAS will work at

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the 36 Ritch Ave. Site as we have been told it would. As the cost of the study is prohibitive for me I am asking the Town of Greenwich to pursue this study.

6. Ref: Greenwich Planning and Zoning Commission dated October 26, 2010 - page 39
- Mrs. Fox asked "would there also be a condition of removing whatever antennas and carriers once they are no longer needed? With new technology that may be a question" - There are today less obtrusive alternatives to cell towers. As technology improves there will be more and more of these options preferable to communities. What is Cellco's position on replacing cell towers with newer technology for the better of the community?